

REPORT OF THE
OFFICE OF THE AUDITOR GENERAL
TO THE
JOINT LEGISLATIVE AUDIT COMMITTEE

003.2

DEPARTMENT OF SOCIAL SERVICES:

THE NEEDS OF CHILDREN
IN THE FOSTER CARE AND ADOPTION PROGRAMS
ARE NOT BEING MET

OCTOBER 1981



California Legislature

Joint Legislative Audit Committee

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October 9, 1981

003.2

The Honorable President pro Tempore of the Senate
The Honorable Speaker of the Assembly
The Honorable Members of the Senate and the
Assembly of the Legislature of California

Members of the Legislature:

Your Joint Legislative Audit Committee respectfully submits the Auditor General's report concerning the foster care and adoption programs administered by the Department of Social Services.

Respectfully submitted,

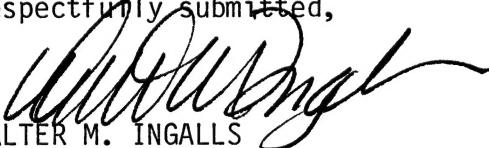

WALTER M. INGALLS
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SUMMARY

We have reviewed the Department of Social Services' (DSS) administration of the foster care and adoption programs. The foster care program serves children who need the care and protection of persons other than their parents whereas the adoption program allows parents to take a minor as their own child. The DSS is responsible for monitoring the foster care program which is administered by county welfare departments. Further, these county departments direct the adoption program within 28 counties while the DSS administers the program in the remaining 30 counties.

California's foster care system does not meet the needs of all foster children. Specifically, we found problems associated with emergency shelters, which are designed for the temporary care of children. For example, 18 percent of the children in our sample have remained in emergency shelters over the mandated 30-day limit. And in receiving homes, a type of emergency shelter, we noted that children with behavioral and psychological problems were being detained with victims of abuse and neglect. As a result, these children are exposed to deviant behavior and may learn such behavior. Further,

receiving homes are the most costly form of emergency shelter. Until these areas are improved, emergency shelter placements may be detrimental to children as well as costly.

We also discovered problems associated with supervision of foster children and their parents or guardians. Social workers did not conduct 34 percent of required supervision visits to foster children. Also, social workers have conducted only 46 percent of the required visits to parents of children placed in foster homes. Unless these required visits are conducted, the State cannot assure that children's health, safety, and developmental needs are protected. Neither can social workers assess whether parents are correcting the problems that caused their children to be removed from the home.

To assure that the foster care system is meeting the needs of foster children, we recommend that the Department of Social Services assess the availability of placement resources for foster children and, if necessary, develop additional resources for their placement. The department should also formulate a plan exploring alternate methods of providing emergency shelter care. Further, we recommend that the department monitor county welfare departments so that they

observe time limits for emergency shelter placements and properly supervise foster children and their parents. Finally, we recommend that the department report to the Legislature on county staffing requirements for the foster care program.

In addition to these problems in the foster care system, we also found weaknesses in the adoption program. Many children in this program have special needs that could limit their chances for adoption. For example, some children in the program are over the age of three; some are from minority backgrounds; and some have physical, mental, or emotional handicaps. Within the adoption program, we found two barriers to the placement of these children. First, there is no statewide program for recruiting parents, and second, the computerized adoption referral process is deficient.

By examining this referral process, we learned that not all children and approved families have been registered in the system as required. Through our own computer system, we matched 84 percent of the unregistered families to children and 55 percent of the unregistered children to families. Also, the referral process does not appropriately match children with adoptive families. Unless these adoption barriers are removed, many children with special needs will remain in the foster care system as dependents of the State. The older these children become, the fewer chances they have for adoptive placement.

To overcome these barriers to adoption, we recommend that the Department of Social Services establish a statewide program to recruit families interested in adopting children with special needs. The department should also ensure that county adoption agencies register children and families in the computerized referral system as required. We further recommend that the department change the statewide computer system so that it effectively matches children with adoptive families.

As a result of our review, the department is addressing the procedural deficiencies identified in this report. Specifically, the department plans to improve its monitoring of both county operations for emergency shelter care and supervision visits to foster children and their parents. In addition, the department has begun a study of the computerized adoption referral system. Based on the results of this study, the department will change the system.

In the final section of this report, we supply information requested by the Legislature. Our review of foster placements found that 11 percent of the children are placed in facilities outside of their counties of residence. We also provide data describing the characteristics of children in the foster care system including their problems, reasons they were

removed from their homes, types of foster homes in which they are placed, the length of time they have been in foster care, and their placement goals.

INTRODUCTION

In response to a request by the Joint Legislative Audit Committee and under the authority vested in the Auditor General by Sections 10527 and 10528 of the Government Code, we have reviewed the Department of Social Services' administration of the foster care and adoption programs. The foster care program serves children who need the care and protection of persons other than their parents whereas the adoption program allows parents to take a minor as their own child. Our review focuses on the placement of children in emergency shelter care and the supervision of children in the foster care program as well as the resources for matching suitable families with children ready for adoption. This is the second report the Auditor General has issued on aspects of the foster care system. The first report, which addressed the licensing of residential care facilities for children, was released in September 1980.*

The Department of Social Services (DSS) is the state agency responsible for supervising every phase of the foster care and adoption programs. County welfare departments

* Improvements Warranted in Licensing of Residential Care Facilities for Children, Report P-003.1, Office of the Auditor General, September 1980.

administer the foster care program for dependent children, subject to the regulations of the DSS. Further, these county welfare departments direct the adoption program within the larger 28 counties, while the DSS administers the program in the remaining 30 counties.

The foster care program, also known as the Aid to Families with Dependent Children--Foster Care (AFDC-FC) Program is funded through county, state, and federal governments. For fiscal year 1981-82, the foster care program is budgeted to receive \$192,771,000 for cash assistance grants. The state portion is \$131,133,000; the federal portion is \$54,341,000; and the remaining \$7,297,000 is funded by the counties. Additionally, the adoption program is primarily funded through the State's General Fund. The budget for fiscal year 1981-82 for both state and county operations totals \$22,862,000.

Methodology

In conducting our review, we visited the county welfare departments in six counties: Los Angeles, San Diego, Alameda, Sacramento, San Mateo, and Monterey. During these visits, we examined case records for children in foster care and adoption programs, and reviewed the records of families registered to adopt children. In addition, we interviewed

staff at both the DSS and the county welfare departments. Finally, we analyzed state and county procedures and policies pertaining to foster care and adoptions.

BACKGROUND

In this section, we describe the objectives of the foster care and adoption programs. We also explain how children enter these programs.

Foster Care Program

The foster care program provides assistance to 27,100 children in California who need the protection and care of persons other than their parents.* These children require 24-hour out-of-home care in a foster home or institution. The foster care program has three objectives:

- To prevent or remedy neglect, abuse, or exploitation of children unable to protect their own interests or to preserve, rehabilitate, or reunite families;
- To prevent or reduce inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; and
- To secure referral or admission for institutional care when other forms of care are not appropriate or to provide services to children in institutions.

* Chapter III further describes the children in the foster care program.

Children are removed from their homes as a result of either a parental request or a court order. At the request of the parents, a child may be voluntarily removed from home. Also, the court may order a foster placement when it determines that a child needs proper parental care or control, is destitute, is physically dangerous to the public, or is living in an unfit home. An unfit home is one in which the child suffers from neglect, cruel treatment, depraved conditions, or physical abuse.

Once removed from their homes, children are placed in either an emergency shelter or a foster care facility. Emergency shelters provide temporary 24-hour care for children who have no other available shelter or who are in danger of neglect, abuse, or exploitation. Generally, children are detained in an emergency shelter until a social worker locates a suitable foster care facility or returns them to their homes. However, children may be placed directly into suitable out-of-home facilities. These include any foster family home, group home, or treatment center (a medical or therapy-oriented facility) that has been licensed to provide 24-hour care to children. Children may also be placed with a relative or guardian.

Adoption Program

An alternative to foster care is adoption, a legal act in which an individual takes a minor as his or her own child and assumes all parental responsibilities. According to state law, the primary objective of adoption is to serve the best interests of children by providing the stability and security of a home when these conditions are missing from their lives. The law further states that children have a right to a normal home life such as provided by adoption.

Children must be legally free from their parents before they can be adopted. The existing legal relationship between children and their parents may be terminated by either voluntary relinquishment or court relinquishment:

- Voluntary relinquishment means that parents willingly give their children to a licensed adoption agency.
- Court relinquishment signifies that the court declares children legally free from their parents if clear and convincing evidence exists that the parents are unfit.

Before a child can be placed in an adoptive home, an adoption agency must select a family who best meets that child's needs. The agency may choose potential parents from a list of families approved to adopt children. Another method of finding appropriate families is through the Adoption Resource Referral Center (ARRC) of the Department of Social Services. The ARRC is a statewide computer system that matches certain characteristics of children to families.

CHAPTER I
THE NEEDS OF FOSTER CHILDREN
ARE NOT BEING MET

California's foster care system does not adequately meet the needs of all foster children. We found that improvements are needed in the areas of emergency shelter and supervision of foster children and their parents. We identified two areas in emergency shelter care that may be detrimental to children:

- Emergency shelters are often used to detain children for extended periods of time; and
- Emergency shelter care in receiving homes, one type of shelter care, often inappropriately mixes children having diverse problems and is a costly form of care.

Additionally, we found that county social workers have not conducted required visits to foster children and their parents or guardians.

These conditions are the result of several factors, including the lack of placement resources for children and inadequate monitoring by the DSS. Unless these areas are corrected, the needs of all foster children will not be met.

EMERGENCY SHELTER PLACEMENTS ARE OFTEN LENGTHY, INAPPROPRIATE, AND COSTLY

During our review, we found certain problems associated with emergency shelters. First, children are often detained in all types of emergency shelter longer than the State's mandated time limit. Although children should not remain in these shelters over 30 days, we noted instances where they stayed in such facilities for six months or more. This problem, which has resulted in part from a lack of foster and group home placement resources, can adversely affect the children staying in these facilities.

Secondly, receiving homes, one type of emergency shelter, inappropriately mix children having severe behavioral problems with those who do not. Thus, the children with less severe problems may learn deviant behavior from other residents of the shelter. Not only are receiving homes potentially harmful to children but also they are a costly form of care. For example, the cost of placing a child in a receiving home in some counties can be twice that of placement in a foster family or group home. These problems with emergency shelter care are further discussed on the following pages.

The purpose of emergency shelter is to provide a temporary protective environment for children who have no other place to stay or who are in danger of neglect, abuse, or

exploitation. Although federal and state statutes do not specify the types of emergency shelter care to be used, counties generally use one or more of the following types of emergency shelter care:

- Receiving Homes - Institutions used for the temporary emergency care of children.
- Emergency Foster Family Homes - Licensed foster homes that offer temporary emergency care for children in a family setting.
- Emergency Group Homes - Licensed homes that offer temporary emergency care for children in a small group setting.

Children Are Placed in Emergency Shelters for Extended Periods of Time

We found that children are often detained in emergency shelters over the State's mandated time limit. Departmental regulations require that a child's stay in emergency shelters should not normally exceed 14 days at one time or 30 days within one year. In exceptional cases, emergency shelter care may extend beyond 14 days, but in no event should such care exceed 30 days. Yet, we found many cases in which children remained in emergency shelters well over 30 days; in fact one child remained in a shelter for 285

days or nine and one-half months. These extended placements in such shelters can be harmful to children as well as costly to the counties.

Of our sample of 1,292 children, we found that 18 percent were detained in emergency shelters over the 30-day limit. The following table presents the percentages of children remaining in emergency shelters over this limit within the six counties we reviewed:

TABLE 1
PERCENTAGE OF CHILDREN DETAINED
IN EMERGENCY SHELTERS OVER 30 DAYS

<u>County</u>	<u>Percentage</u>
Alameda	33%
San Mateo	30%
San Diego	19%
Sacramento	17%
Monterey	12%
Los Angeles	8%

Our review disclosed that children remaining in emergency shelters over 30 days often experienced negative effects. According to county social workers and children's case files, some children suffered from anxiety, depression, or regression as a result of long stays in all types of emergency shelter facilities. For example, a three-year-old child detained in an emergency foster family home for 82 days showed

regression in language skills and toilet training. Our review also indicated that other children reacted to lengthy stays by running away from the facilities.

Studies of receiving homes in California have pointed out that lengthy stays in institutional emergency shelters may be harmful to children. Officials of the San Diego County Welfare Department noted that long stays in receiving homes produce "institutionalization," a condition that may diminish children's sense of identity and reduce their capacities to function effectively in the community. In addition, a study of the Children's Receiving Home of Sacramento conducted by the Child Welfare League of America concluded that children's problematic behavior becomes more acute for those detained in the shelter for extended periods of time. Further, Alameda County officials stated that it is psychologically harmful for children to be kept "in limbo" for long periods in emergency shelter care.

Another negative aspect of detaining children in emergency shelters is that it places the burden of the cost on individual counties. Federal participation in the emergency shelter program extends for only 30 days; if a child remains in an emergency shelter over 30 days, the county assumes the

costs of the placement. Therefore, placements in emergency shelters that exceed the 30-day limit may prove costly to the county as well as harmful to the child.

We found three reasons explaining why children are detained for extended time periods in emergency shelters. The most common explanation is that not enough foster and group homes are available for the placement of children. Also, court delays extend children's stays in the shelters. And lastly, the Department of Social Services has not monitored the shelter programs to ensure that children are promptly placed in homes.

In all six counties we visited, social workers reported that foster children are detained in emergency shelters because not enough placement resources exist in which to place them. By reviewing case files, we found that more foster and group homes are needed for the placement of children between ages 12 and 18, children with siblings, and children with behavioral and emotional problems.

Further, county officials stated that court delays and contested cases also cause children to remain in emergency shelters. Until the court determines a child's need for foster care, the child is often detained in these shelters.

Finally, the Department of Social Services has not monitored counties' emergency shelter programs to assure that children are being promptly placed. As a result of this review, the department will begin monitoring counties' emergency shelter care programs to ensure that they comply with state regulations. In addition, the DSS has not assessed the availability of foster placement resources. Unless it conducts this assessment, it cannot take appropriate action to ensure that children may be expediently removed from emergency shelters.

Receiving Homes
Do Not Meet the Needs
of All Children and Are Costly

Many children with severe emotional and behavioral problems are entering receiving homes, a costly form of shelter care that does not meet the needs of all children. Specifically, in receiving homes, children displaying disturbed behavior are often detained with victims of abuse and neglect who may learn deviant behavior. Therefore, receiving home care may be harmful to children. In researching this problem, we learned of a treatment program used by the State of Washington that could serve as an alternate form of emergency shelter care for California.

County administrators have noted that emergency shelters are admitting more children who display disturbed behavior, who are incorrigible, or who are chronic runaways. They partially attribute this situation to 1977 legislation which reformed the law on juvenile justice. Specifically, an amendment to the Welfare and Institutions Code placed many children previously declared wards of the court within the foster care system. Because of this amendment, many children having emotional and behavioral problems are now detained in emergency shelters rather than in juvenile halls.

Another factor contributing to this problem is that emergency shelters are traditionally designed to provide only emergency housing to children. They usually are not staffed or equipped to serve children with diverse problems; thus, children with emotional and behavioral problems do not receive needed treatment in emergency shelters.

In addition, these disturbed children are often detained in receiving homes along with children who do not display disturbed behavior. Less troubled children can learn negative behavior when grouped with those who display disturbed behavior. San Diego County Welfare Department officials have stated that deviant behaviors and styles are rapidly transmitted and learned in the receiving home.

One type of behavior problem that can be learned is running away from the receiving home. In one county we visited, John, a 16-year old with a history of incorrigible behavior, frequently ran away from the receiving home, taking other children from the facility with him. On one occasion, John encouraged George and Joan, aged 16 and 15, to join him in running away to another state. This pair had no history of delinquent behavior. While there, the two boys were accused of stealing. Authorities were subsequently notified and the children were returned to California. After their return, George and Joan were sent to the receiving home, and John was placed in another facility. George and Joan ran away from the receiving home several more times. Four months later, both children were arrested for burglary. Subsequently, George was declared a delinquent ward and placed in a facility for delinquent boys. Joan was transferred to the county's juvenile hall.

County officials have stated they are concerned about finding alternative resources that would enable them to treat children with emotional and behavioral problems and to avoid mixing less disturbed children with others requiring treatment. Several counties have addressed this issue. A recent study of the Children's Receiving Home of Sacramento concluded that adolescents who run away from emergency shelters or who show

assaultive and aggressive actions may adversely affect other children in the receiving home. The study referred to system problems in Sacramento County's emergency care program, noting that these have created a dumping ground that poorly serves the children who must reside in the receiving home.* The study then recommended that a new treatment design be implemented to deal realistically with the children's problems.

San Diego County also addressed the need for a method of providing treatment to children exhibiting "beyond control" behavior at the county's receiving home and stressed the importance of diverting these children to other settings. Alameda County is also conducting a review of emergency shelter care. Officials in that county have stated there is a need for a more sophisticated emergency shelter program that provides a variety of alternative placements to children with emotional and psychological problems.

During our review of emergency shelters, we found a program operating within the State of Washington that might provide an alternate method of care to those counties in California that use receiving homes. The State of Washington

* The Sacramento Children's Receiving Home and Its Relationship to the Delivery of Emergency Services; Child Welfare League of America, August 15, 1980.

does not use institutionalized emergency shelter care such as that provided by California's receiving homes. Instead, it offers care through emergency foster family and group homes and through eight regional Crisis Residential Centers (CRCs). The CRC program, which began in 1979, is intended to stabilize children who run away and those who have chronic behavioral problems. This type of care is delivered in a highly structured, small-group therapeutic setting. Specifically, the CRCs have a staffing ratio of one staff person to two children. Each CRC accommodates from 4 to 12 children.

The State of Washington's policy is that children may stay in the CRC only up to 10 days; in exceptional cases, children may stay longer. Administrators of the program stated that this form of treatment-oriented shelter care enables them to stabilize children with problems and to place them into the foster care system. Further, children who do not require the level of care the CRCs offer are detained in either emergency foster family homes or group homes. This practice not only avoids mixing children with diverse problems but also enables these children to be cared for in a less expensive shelter.

The cost of care in a CRC is approximately \$2,800 per month per bed. This cost is similar to the cost of care within some of California's receiving homes. However, unlike

California's institutionalized emergency shelter care, Washington's CRCs offer therapy and a highly structured environment to children with problems.

Our study of California's three forms of emergency care--receiving homes, emergency group homes, and emergency foster family homes--indicated that receiving homes are the most costly form of care. In comparison, emergency group homes, licensed homes in which children are cared for in a small group setting, are the second most expensive type of emergency care. Emergency foster family homes that care for children in a family setting are the least expensive form of emergency shelter care. The following table illustrates the cost of the various types of emergency shelter care used in the counties we visited.

TABLE 2
COMPARISON OF MONTHLY COST OF
EMERGENCY SHELTER CARE PER CHILD
FISCAL YEAR 1979-80
(Approximate Costs)

<u>Sample Counties</u>	<u>Receiving Homes</u>	<u>Emergency Foster Family Homes</u>	<u>Emergency Group Homes</u>
Los Angeles	\$3,260	\$350	--
Alameda	3,000	490	\$1,575
San Mateo	2,845	310	570
San Diego	1,730	380	405
Sacramento	1,225	335	--
Monterey	--	455	--

As shown in Table 2, the type of emergency shelter used by a county can have a significant impact on the cost of its emergency shelter program. For example, caring for a child detained in Alameda County's receiving home for 30 days would cost \$2,510 more than caring for a child in an Alameda emergency foster family home for 30 days. Further, in this same county, it costs \$1,425 more to detain a child in a receiving home rather than in an emergency group home.

THE SUPERVISION OF FOSTER CHILDREN
AND THEIR PARENTS IS INADEQUATE

Our review disclosed that social workers do not conduct supervision visits to foster children as required by state regulation and county policies. When these visits are not conducted, the health, safety, and development of children are not safeguarded, especially in cases involving pre-school aged and physically handicapped children who are unable to protect themselves. These conditions also prohibit social workers from evaluating children's care and treatment plans in order to develop permanent plans for them. Similarly, social workers have not visited parents of children placed in foster homes. Unless these required visits are conducted, social workers are unable to determine whether the parents are working to alleviate the problems that caused their child's removal from the home. Foster children and their parents are not

properly supervised because social workers have heavy caseloads and because state personnel have not adequately monitored these visits.

State regulations require social workers to visit foster children and their parents or guardians at least once each month. If monthly visits are unnecessary, social workers must obtain administrative approval allowing less frequent visits. All five counties we reviewed also have policies similar to these state regulations.

Supervision Visits to Children

In reviewing a sample of 535 children placed in out-of-home care, we found that social workers had not conducted 34 percent of the required visits to children.* Table 3 shows the results of our review.

* The number of required supervision visits for foster children is determined using the frequency schedule for visits--monthly, bi-monthly, quarterly, semi-annually, or annually. For example, a monthly frequency schedule requires the social worker to make one visit per month or 12 visits annually.

TABLE 3

PERCENTAGE OF COUNTY SOCIAL WORKERS'
SUPERVISION VISITS TO FOSTER CHILDREN

<u>County</u>	<u>Required Visits Conducted</u>	<u>Required Visits Not Conducted</u>
Los Angeles	55%	45%
Monterey	56%	44%
Sacramento	65%	35%
Alameda	74%	26%
San Diego	78%	22%

As shown above, the percentage of required visits not conducted ranged from 22 percent in San Diego County to 45 percent in Los Angeles County.

Unless social workers conduct the required supervision visits, foster children will not be protected against either inadequate, unsafe, and unsanitary conditions or inferior quality of care. This supervision is especially crucial for children who are unable to protect their own interests because of their young age or physical handicaps. In these instances, we found that social workers did not conduct 30 percent of the required supervision visits. For example, a nine-year old child suffering from dwarfism, mental retardation, and a congenital heart defect had not been visited from April 1978 to November 1980--a two and one-half year

period. In another case, a two-year old child who was neglected by her natural mother received only 3 of the 12 required visits.

Supervision visits are also necessary to assess whether the current placement fits the child's needs. Since a child's needs may frequently change, the level and type of foster care provided may also need modification. If, for example, a child's behavior deteriorates, a change in his or her treatment plan is required. Such changes should occur at the earliest opportunity to ensure that the child receives the best care as soon as possible. Such changes may involve providing a different level of care for the child or modifying the child's treatment plan. In addition, unless required supervision visits are conducted, the child's progress in meeting established objectives cannot be assessed.

A recent report issued by the Auditor General illustrated the need for supervision visits to foster children.* This report disclosed that the quality of care in children's residential facilities had not been effectively monitored by licensing personnel. Specifically, the DSS had

* Improvements Warranted in Licensing of Residential Care Facilities for Children, Report 003.1, Office of the Auditor General, September 1980.

not ensured that licensed residential care facilities have been fully evaluated. In addition to these problems with the monitoring of residential care facilities, the report also noted weaknesses relating to the screening of facility personnel. Criminal record reviews had not been performed for more than half of the facility staff requiring such reviews, and certain individuals with felony and misdemeanor convictions had been allowed to work in facilities licensed by the State and the county even though they had not been granted exemptions to do so. These conditions clearly illustrate the need for regular supervision of foster children.

Supervision Visits to Parents

We also found that social workers conducted only 46 percent of the required visits to parents.* The percentage of required visits ranged from a low of 37 percent in Los Angeles County to a high of 62 percent in Sacramento County. Table 4 below presents the results of our sample.

* In this report, required visits to parents refer to the number of visits that should have been conducted during the sample period if the parents' locations were known and if the parents cooperated with social workers.

TABLE 4

PERCENTAGE OF COUNTY SOCIAL WORKERS'
CONTACTS WITH PARENTS OF FOSTER CHILDREN

<u>County</u>	<u>Required Visits Conducted</u>	<u>Telephone Contact in Lieu of Visits</u>	<u>No Contact</u>
Los Angeles	37%	16%	47%
Monterey	46%	19%	35%
San Diego	49%	22%	29%
Alameda	44%	27%	29%
Sacramento	62%	13%	25%

In our sample, social workers used telephone contacts in lieu of parental visits for 19 percent of the total visits they were required to make. Placing telephone calls to parents does not satisfy state requirements; however, in these cases, social workers did maintain contact with the parents. But in 35 percent of the cases, social workers made no contact with parents of foster children.

When visits with parents are not maintained, the social worker is unable to assess whether the parents are progressing toward alleviating the causes for their child's removal from the home. This assessment is especially important in cases where the goal is to return the child to his or her parents. In these cases, we found that 46 percent of the required visits were not conducted.

Reasons for Inadequate
Supervision of Foster Children

Required visits to foster children have not been conducted because of social workers' heavy caseloads and because of inadequate monitoring of operations at the state level. County officials stated that they do not have enough staff to complete all of the social workers' responsibilities, including visiting foster children and their parents, preparing court reports, attending court proceedings, and locating facilities in which to place foster children.

Finally, the Department of Social Services has inadequately monitored county supervision visits. Although the department has conducted case reviews at county welfare departments, it did not use standardized methods to ensure that county deficiencies were corrected. Specifically, the department did not obtain corrective action plans for deficiencies found or establish deadlines for counties to comply with supervision requirements. However, to improve its monitoring, the department plans to implement standardized procedures and set deadlines for counties to comply with state requirements.

CONCLUSION

California's foster care program does not adequately meet the needs of all foster children. Specifically, emergency shelter care for children needs improvement. Children are being detained in emergency shelters for extended periods of time. In addition, receiving homes are used to house both children having emotional and behavioral problems and those who do not exhibit such problems. These shelters are costly and do not provide treatment to children with behavioral problems. Further, county social workers have not adequately supervised foster children and their parents. As long as these conditions persist, there is no assurance that foster children are receiving adequate care and protection.

RECOMMENDATION

To assure that the foster care system is meeting the needs of foster children, we recommend that the Department of Social Services:

- Assess the availability of placement resources for foster children in California, and, if necessary, develop additional resources to meet the needs identified;

- Develop a plan which explores alternate methods of providing emergency shelter care and which will enable receiving homes or institutionalized care to be eliminated. This plan, prepared for submission to the Legislature, should include a method of care which will avoid mixing different types of children in emergency shelters, such as that used in the Washington State Crisis Residential Center program;
- Submit a report to the Legislature specifying the county staffing requirements needed to meet the objectives of the foster care program. This report should include an analysis of the number of staff required to properly supervise foster children and their parents;
- Ensure that county welfare departments conduct the required supervision visits to foster children and their parents;
- Monitor county welfare departments to enforce emergency shelter time limits.

CHAPTER II

ADOPTION BARRIERS ARE DETRIMENTAL TO CHILDREN WITH SPECIAL NEEDS

Many of the children relinquished for adoption have special needs which may make them hard to place in adoptive homes. Children are placed in this category if they are age three or older; from minority backgrounds; or physically, mentally, or emotionally handicapped. Also classified as having special needs are those children who have adoptable siblings. The State is responsible for providing these children with the stability and security of an adoptive home when these conditions are missing from their lives.

In our review, we found two barriers to the adoption of children with special needs. First, the Department of Social Services does not have a statewide recruitment program to find families to adopt these children. Second, the computerized adoption referral process needs improvement. All children and families have not been registered in this computerized system. Also, the system may not appropriately match children with adoptive families.

Unless these barriers to adoption are removed, many children having special needs will remain in the foster care system as dependents of the State. The older these children become, the fewer chances they have for an adoptive placement. In effect, such children are being denied the opportunity for a happy, healthy home life in a permanent living situation.

THERE IS NO STATEWIDE PROGRAM
TO RECRUIT FAMILIES FOR CHILDREN
WITH SPECIAL NEEDS

Although state law indicates that the welfare and best interests of children are served by providing the stability and security of an adoptive home, the Department of Social Services does not have a coordinated statewide recruitment program to find families for hard-to-place children having special needs. During our review, however, we found examples of recruitment programs which have succeeded in placing these children.

According to state law, adoption is more suitable to a child's well being than is foster care, which is a temporary method of care. Also, Section 232.6 of the Civil Code states that the welfare and best interests of a child are served by providing the stability and security of an adoptive home when such conditions are otherwise missing from the child's life.

Our review of six county adoption agencies indicated that the number of children with special needs available for adoption exceeds the number of approved families that could adopt them. For example, there are more relinquished black children in Alameda County than approved black families to adopt these children.

We reviewed a sample of 538 children and found children who have been relinquished by their parents for as long as 18 years without being adopted. Approximately 45 percent of these children have been relinquished by their parents for more than five years. Table 5 shows the length of time that foster children have remained in the foster care system after being relinquished.

TABLE 5
LENGTH OF TIME CHILDREN
HAVE BEEN RELINQUISHED

<u>Length of Time</u>	<u>Number of Children^a</u>	<u>Percentage</u>
0-1 year	102	19%
1-2 years	123	24%
3-5 years	64	12%
6-10 years	144	28%
11-18 years	89	17%

^a This column does not include 16 children who have not been relinquished.

The department does not have a coordinated statewide recruitment program to assist adoption agencies in finding adoptive homes for children with special needs. In the six counties we visited, county officials stated that no statewide recruitment activities have been conducted. In five of the six counties, officials noted that recruitment at the local level is limited because funding and staffing are insufficient.

Successful Recruitment Programs

In conducting this study, we reviewed recruitment programs that successfully place children with special needs into adoptive homes. Our review focused on programs of the Los Angeles County Department of Adoption, as well as programs in Detroit, Michigan and in Seattle, Washington.

Since 1962, the Los Angeles County Department of Adoptions has actively maintained a recruitment program to find homes for children with special needs. During fiscal year 1979-80, 557 children were placed through this program. More specifically, 70 percent of these children were two years old or older; 56 percent were from minority backgrounds; and 20 percent were physically, mentally, or emotionally handicapped. In addition, children with adoptable siblings represented 17 percent of the total adoptive placements. Los Angeles County officials estimate that approximately

\$1.5 million was saved during the first 12 months by placing the 557 children in adoptive homes. If these 557 children had remained in foster care until the age of 18, their support and maintenance would have cost an estimated \$17.5 million.

One key to Los Angeles County's success is its sponsorship of innovative recruitment activities. Some of these are listed below:

- The Black Adoption Festival encourages black families to adopt available black children.
- Weekly afternoon television shows have led to the adoptive placements of at least 1,000 children during a 12-year period.
- Public service announcements on television, radio, and in local newspapers inform a large audience of the needs of the special children.
- Community Out-Reach Programs recruit families for Black and Hispanic children.

Other recruitment programs were initiated in Detroit, Michigan and in Seattle, Washington. In Detroit, 390 children were placed over a 12-year period as a result of a Sunday

newspaper column featuring children with special needs. In Seattle, 24 children with special needs were adopted because they were profiled in a recent series of articles in the local newspaper.

THE COMPUTERIZED ADOPTION REFERRAL
PROCESS NEEDS IMPROVEMENT

The Department of Social Services operates the Adoption Resource Referral Center (ARRC), a computer registry system for matching unadopted children with families throughout the State. State regulations require that all relinquished children and potential parents--who have not had an adoptive placement plan made for them in 60 days--must be registered in the ARRC. Yet, our review disclosed that all children and families were not being registered as required, a condition which reduces opportunities for adoptable children to be matched with available families statewide. Another problem is that the ARRC does not appropriately match children to adoptive families since it does not allow families to fully describe the characteristics they hope to find in an adopted child.

The objective of the ARRC is to broaden the opportunities for placing children needing adoptive homes with suitable families. This matching takes place through the registration of children and families in the statewide computer

system. When a child is registered with the ARRC, certain characteristics, such as date of birth, ethnic background, and physical and emotional handicaps are entered into the system. Similarly, families that are registered in the ARRC identify children's characteristics that are unacceptable. The ARRC then searches for a child who does not possess the unacceptable characteristics. The resulting matches between children and families are returned to the adoption agency for review and follow-up to determine the suitability of the match.

All Families and Children
Are Not Registered in the
Adoption Resource Referral Center

By analyzing a sample of possible registrants, we found that some of the children and families were not registered in the ARRC. In fact, 62 percent of the families and 17 percent of the children in the sample were not registered as required. However, through our own computer program, we were able to match many unregistered children with unregistered families. We learned that these ARRC registration problems have resulted because the DSS does not monitor this process, county social workers reserve families for children in their own county, and system problems with the ARRC discourage county staff from using it.

The California Administrative Code requires the registration of all children for whom a placement plan has not been made within sixty days after relinquishment.* Families must also be registered within sixty days after their homes have been approved if placement plans have not been made. Registration is not required for families requesting only white children under two years of age with no physical or emotional handicaps.

In our sample of 531 families approved to adopt children, we found that 330 or 62 percent were not registered in the ARRC as required. Eighty families were registered as required, and the remaining 121 families were exempt from the ARRC registration.

We found that 94 children in our sample of 538 children available for adoption--17 percent--were not registered as required. Of these children, 381 did not require registration since they already had placement plans or were not relinquished. The remaining 63 children were registered as required. The following table presents the number and percentages of the ARRC registrations for the families and children in our sample.

* A placement plan signifies that an adoption agency is considering placing a child with a family.

TABLE 6
 ADOPTION RESOURCE REFERRAL CENTER
 REGISTRATION FOR
FAMILIES AND CHILDREN

	Families		Children	
	<u>Number</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Not registered as required	330	62%	94	17%
Registered	80	15%	63	12%
No registration required	<u>121</u>	<u>23%</u>	<u>381</u>	<u>71%</u>
Total	<u><u>531</u></u>	<u><u>100%</u></u>	<u><u>538</u></u>	<u><u>100%</u></u>

When a county fails to register available families and children, it reduces the opportunity for matching children to adoptive families statewide through the ARRC. To illustrate that families and children presently unregistered in the ARRC could be matched for an adoptive placement, we developed our own computer program. Using this program, we matched 84 percent of the unregistered families to children and 55 percent of the unregistered children to families. Specifically, we paired 277 of the 330 families who were not registered as required in the ARRC to the children in our sample. Further, we matched 52 of the 94 children requiring the ARRC registration with families. As an example, we found

five families throughout the State that matched with an eight-year-old child with respiratory problems, while another six families matched with an eleven-year-old child with orthopedic problems.

There are three reasons why county adoption agencies do not submit ARRC registrations to the department. First, the DSS does not have procedures to ensure that county adoption agencies comply with the registration requirements of the computerized system. As a result of our review, the department plans to implement procedures to monitor the counties to ensure that families and children are registered in the ARRC.

Second, adoption officials stated that county adoption agencies hold or reserve families for children in their own county, thus preventing children in other counties from being matched to available families statewide. For example, one county in our sample did not register a black family who requested a child up to age six, although 6 children from other counties matched this family. A county official stated that this family was not registered in the ARRC because of the shortage of black families in the county. The family was, in fact, being held for that county's own children.

Finally, according to county officials, county staff refrain from using the ARRC because it results in inappropriate matches. Yet officials agree that a statewide adoptive matching system is needed. The next section of the report further describes the ARRC's system deficiencies.

Adoption Resource Referral Center
Results in Inappropriate Matches

Our review disclosed that the Adoption Resource Referral Center inappropriately matches adoptable children with families willing to adopt. Specifically, we found that the ARRC's registration system does not permit families to fully identify all characteristics that they would find unacceptable in an adopted child. In addition, families are unable to request a healthy, normal child under the current system.

When registered in the ARRC, families may identify only five physical and five emotional handicaps that they would find unacceptable in a child. Most of the families in our sample identified more than five physical or five emotional handicaps as unacceptable. As a result, families desiring to list more than five handicaps would be inappropriately matched with children who may have unacceptable handicaps.

Further, the ARRC's system does not allow families to request a healthy, normal child. This includes children with special needs who are from minority backgrounds or who are three years of age or older. As a result, these families may not be matched with healthy, normal children despite their ages or ethnic backgrounds. In reviewing our sample of 531 families, 28 percent of the families requested a healthy, normal child.

As a result of our study, the department is currently reviewing the ARRC system to correct the deficiencies just discussed. The department expects its analysis to be completed by November 1981.

EFFECTS OF RECRUITMENT AND REFERRAL DEFICIENCIES

Barriers to adopting children with special needs have resulted because no statewide program recruits families for children and because the computerized referral system is deficient. Unless these adoption barriers are corrected, many children with special needs will remain in the foster care system, their chances for adoption decreasing as they become older. In addition, these children are being denied the opportunity of a normal home life in a permanent living situation.

Since most adopting families request younger children, the opportunity for children to obtain an adoptive home decreases as the children become older. In our sample, we found that 81 percent of the children who are relinquished are age seven or older. However, most of the families in our sample requested children under the age of seven.

Further, unadopted children are denied the opportunity for a happy, healthy life in permanent homes. Adoption is more suitable to the child's well-being since, unlike foster care, it provides the stability and security of a permanent home. Finally, according to a November 1980 report entitled Public Welfare in California, the costs of maintaining and supporting an unadopted child in foster care averages \$343 a month.* When one child remains in the foster care program for one year, the maintenance and support costs average \$4,116. This figure would be multiplied by the number of children who would not be adopted because of the barriers discussed in this section.

* After children are placed in an adoptive home, temporary financial assistance is available to needy families.

CONCLUSION

Two barriers may prevent children with special needs from securing an adoptive home. First, there is no statewide program to recruit families to adopt children with special needs. Second, the computerized adoption referral process is deficient. That is, county adoption agencies do not register all relinquished children and potential families in the Adoption Resource Referral Center to place children statewide. Further, the Adoption Resource Referral Center inappropriately matches children with parents.

As long as these barriers exist, children with special needs may remain in the foster care system longer than necessary. This decreases their chances for a happy, healthy life in a permanent home. Further, the costs of supporting and maintaining these unadopted children average \$343 per month per child.

RECOMMENDATION

To address these problems that limit adoptions, we recommend that the Department of Social Services:

- Establish a statewide coordinated program to recruit families willing to adopt children with special needs;
- Develop an effective statewide computer system for matching available children with adoptive families;
- Institute procedures to ensure that all adoption agencies register families and children in the Adoption Resource Referral Center; these procedures could include levying sanctions against agencies to motivate them to comply with state law.

CHAPTER III
OTHER INFORMATION
REQUESTED BY THE LEGISLATURE

The Legislature requested us to supply information about two areas related to the foster care program. First, we were asked to discuss the extent to which foster children are placed in facilities outside of their counties of residence. Second, the Legislature asked us to provide information concerning the types of children in the foster care program.

OUT-OF-COUNTY PLACEMENTS
OF FOSTER CHILDREN

In reviewing the case records of foster children in the six counties we visited, we found that 11 percent of these children were placed in facilities outside of their counties of residence. We also found that nearly half of the children in the sample were placed in counties adjacent to their home counties whereas a few children were placed in other states.*

Public Law 96-272 requires that children be placed in close proximity to their parents' homes, consistent with their

* Within all counties we sampled, foster children placed within their counties of residence received 68 percent of the required visits while children placed outside their counties received only 58 percent of the required visits.

best interests and needs. County welfare offices place children in facilities outside of their counties of residence when appropriate facilities within those counties are not available. For example, San Mateo County places children in adjacent Santa Clara County because an appropriate facility is not available in San Mateo County. Also, a child may be placed in the facility of an adjacent county if it is the closest available facility located near the child's family or social worker. Thus, a child from the Pomona office in eastern Los Angeles County may be placed in a facility in western San Bernardino County since that placement is nearest the child's family or the social worker.

In the counties we sampled, placements in out-of-county foster care facilities ranged from a low of 7 percent of the foster children in Los Angeles County to a high of 24 percent in San Mateo County, as shown below.

TABLE 7
PERCENTAGE OF CHILDREN
PLACED OUT-OF-COUNTY

<u>County</u>	<u>Children</u>
San Mateo	24%
Alameda	20%
Monterey	17%
Sacramento	10%
San Diego	9%
Los Angeles ^a	7%

^a Statistical data for Los Angeles County are based on six of the 20 district offices.

We also tabulated placements of foster children in counties adjacent or nonadjacent to the counties in which they reside. Of those placed in nonadjacent counties, we categorized placements with relatives as opposed to those with nonrelatives. The following table summarizes this information.

TABLE 8
PERCENTAGE OF CHILDREN PLACED OUT-OF-COUNTY
IN ADJACENT AND NONADJACENT COUNTIES

<u>County</u>	<u>Children Placed in Adjacent Counties</u>	<u>Children Placed in Nonadjacent Counties</u>	
		<u>Placed with Relative</u>	<u>Placed with Nonrelative</u>
Los Angeles	63%	20%	17%
San Diego	5%	10%	85%
Alameda	38%	-- ^a	62%
Sacramento	42%	28%	30%
San Mateo	55%	2%	44%
Monterey	54%	13%	33%
Overall Sample	42%	11%	47%

^a Placement data for relatives in Alameda County were not available; relatives are included with nonrelative placements.

As shown in the table, 42 percent of the foster children were placed in adjacent counties; 58 percent in nonadjacent counties. And, in nonadjacent counties, 11 percent of the children were placed with relatives, while the remaining 47 percent were placed with nonrelatives.

A small percentage of foster children were placed outside the State. Specifically, 176 foster children--2 percent--are located outside of California. This type of placement sometimes occurs when children live with foster parents who have moved to another state. In these cases, the social worker determines that the children's best interests are served to continue the placement. Yet in other cases, the children may live with relatives in other states. Table 9 presents the types of facilities outside California in which these foster children were placed.

TABLE 9
NUMBER OF CHILDREN PLACED IN
OUT-OF-STATE FACILITIES

<u>County</u>	<u>Foster Family Homes</u>	<u>Relatives' Homes</u>	<u>Group Homes or Treatment Centers</u>	<u>Totals</u>
Los Angeles	18	47	2	67
San Diego	28	13 ^a	32	73
Alameda	26	-- ^a	1	27
Sacramento	--	2	--	2
San Mateo	2	1	--	3
Monterey	1	3	--	4
Totals	<u>75</u>	<u>66</u>	<u>35</u>	<u>176</u>

a Placement data for relatives in Alameda County were not available; relatives are included with nonrelative placements.

The table shows that San Diego County has 32 children in out-of-state group homes or treatment centers; 29 of these

children are in a Texas treatment center. A San Diego County official stated that the facility in Texas was the only available resource that would accept "very seriously emotionally disturbed" children. However, the other counties in our sample were able to place all but three of their foster children in California treatment centers or group homes.

DESCRIPTION OF CHILDREN
IN THE FOSTER CARE PROGRAM

In the remainder of this report, we describe the characteristics of the children who are currently in the foster care system. The characteristics of the foster children are arrayed by four age categories: children aged 0 to 5 years, 6 to 11 years, 12 to 14 years, and 15 years and older. This information is based on our sample of 535 case files for children in the counties of Alameda, Los Angeles, Monterey, Sacramento, and San Diego. The tables present the following information:

- Characteristics of the children in foster care;
- Reasons children are removed from their parents' homes;
- Types of facilities in which children are placed;

- Length of time children remain in foster care; and
- Goals established for the children in foster care.

Many of the children in the foster care system have physical, mental, emotional, or behavioral problems. Common mental and emotional problems include depression, neurosis, suicidal tendencies, and hostility. Those children with behavioral problems often exhibit aggression, hyperactivity, or destructiveness. Many of these children suffer from a combination of these problems. The following table describes the most common characteristics exhibited by the 535 children in our sample.

TABLE 10
 CHARACTERISTICS OF THE CHILDREN IN
THE FOSTER CARE PROGRAM

<u>Characteristics of Children</u>	<u>Total</u>	<u>Ages of Children</u>			
		<u>0-5</u>	<u>6-11</u>	<u>12-14</u>	<u>15+</u>
No problems	246	83	72	34	57
Emotional or mental problems	164	14	49	48	53
Behavioral problems	132	9	40	45	38
Physical handicaps	66	9	18	16	23
Physical disorders	64	14	18	17	15
Developmental or educational handicaps	48	11	17	17	3
Discipline problems at school	27	0	11	7	9
Drug and alcohol abuse, poor peer relationships, and other problems	43	7	8	9	19

We also researched the reasons children are initially removed from their homes. Children are often removed from their homes because their parents are unable or unwilling to care for them or because their parents physically abuse them. Table 11 illustrates these and other reasons for removal for the 535 children in our sample.

TABLE 11

REASONS CHILDREN ARE REMOVED
FROM THEIR PARENTS' HOMES

Reasons for Removal	Total	Ages of Children			
		0-5	6-11	12-14	15+
Parents unwilling or unable to care for children	153	41	47	30	35
Children physically abused	97	25	34	17	21
Parents have mental or emotional problems	79	20	20	24	15
Parents abandoned children	74	13	24	15	22
Parents' homes are inappropriate or unfit	71	24	23	11	13
Parents abuse alcohol or drugs	61	18	26	7	10
Parents arrested	61	18	24	9	10
Children have no adult supervision	55	15	23	11	6
Children have behavioral problems	57	0	7	16	34
Parents unwilling or unable to control children	51	9	12	14	16
Parents requested removal	45	9	17	3	16
Children sexually abused	43	3	10	13	17
Children have mental or emotional problems	36	0	8	11	17
Parents unable to cope with children	34	5	12	7	10
Children physically handicapped	33	7	13	8	5
Parents deceased	20	3	6	1	10
Parent-child conflicts and other problems	38	8	7	7	16

Children should be placed in a foster home or facility based on their specific needs. Foster family homes, the most frequently used type of placement, provide 24-hour care and supervision in a family setting. Group homes offer the same type of care in a group setting, while treatment homes provide care in a therapeutic setting. Guardianships, another frequent type of placement, refer to individuals who have been legally appointed to care for and manage a child. Children may also be placed with relatives when the social worker determines that such placement is appropriate. The following table shows the types of facilities in which the 535 children are placed.

TABLE 12
TYPES OF FACILITIES IN WHICH
CHILDREN ARE PLACED

<u>Types of Homes</u>	<u>Total Children</u>		<u>Ages of Children</u>			
	<u>Number</u>	<u>Percentage</u>	<u>0-5</u>	<u>6-11</u>	<u>12-14</u>	<u>15+</u>
Foster family homes	310	58%	74	94	61	81
Group and treatment homes	83	16%	3	23	21	36
Relatives' homes	82	15%	36	23	13	10
Guardianships	29	5%	2	16	6	5
Other types of homes	31	6%	8	6	6	11

Thirty-nine percent of the children in our sample have been in the foster care program over three years. Thus, many have been foster children more than half their lives. The

following table shows the length of time the 535 children in our sample have remained in the foster care program according to their ages.

TABLE 13
LENGTH OF TIME CHILDREN
REMAIN IN THE FOSTER CARE PROGRAM

<u>Number of Months</u>	<u>Total Children</u>		<u>Ages of Children</u>			
	<u>Number</u>	<u>Percentage</u>	<u>0-5</u>	<u>6-11</u>	<u>12-14</u>	<u>15+</u>
0-6	80	15%	32	23	12	11
7-12	77	15%	26	21	17	13
13-18	52	10%	14	17	7	14
19-24	38	7%	16	11	3	8
25-30	43	8%	14	12	7	10
31-36	38	7%	4	16	6	12
37-42	23	4%	5	3	8	7
43-48	23	4%	3	6	8	6
49-60	29	5%	6	12	3	8
61-72	20	4%	1	9	7	3
73-84	13	2%	0	5	5	3
85-96	16	3%	0	9	2	5
over 97	83	16%	0	18	22	43

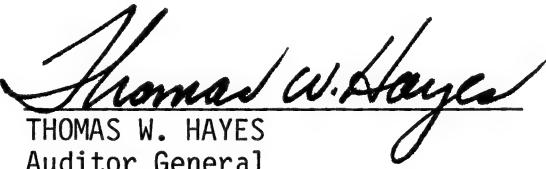
Finally, we reviewed the goals established by the social workers for each foster child.

TABLE 14
GOALS ESTABLISHED FOR CHILDREN
IN THE FOSTER CARE PROGRAM

<u>Goals</u>	<u>Total Children</u>		<u>Ages of Children</u>			
	<u>Number</u>	<u>Percentage</u>	<u>0-5</u>	<u>6-11</u>	<u>12-14</u>	<u>15+</u>
Long-term placement	227	42%	17	41	54	115
Family reunification	149	28%	51	55	28	15
Adoption	80	15%	39	34	5	2
Guardianship	79	15%	16	32	20	11

Long-term placement is the goal established for 42 percent of the children in our sample. This category includes children who are placed with relatives on a long-term basis and children who are in the foster care program until they reach the age of majority. The goal of 28 percent of the children sampled is family reunification whereas the goal of 15 percent of the children is adoption.

Respectfully submitted,


 THOMAS W. HAYES
 Auditor General

Date: September 28, 1981

Staff: Robert E. Christophel, Audit Manager
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DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814

September 17, 1981

Mr. Thomas W. Hayes, Auditor General
Office of the Auditor General
660 J Street, Suite 300
Sacramento, CA 95814

Dear Mr. Hayes:

SUBJECT: Auditor Generals Draft Report entitled "Department of Social Services: The Needs of Children in the Foster Care and Adoption Programs are not Being Met."

This will provide you with the State Department of Social Services (SDSS) comments on the general observations in the subject report concerning SDSS Administration of the Foster Care Program. In addition, we have attached a detailed response to each of the reports formal recommendations. Thank you for the opportunity to comment on the findings of the report.*

To preface my comments and reactions regarding the report, I wish to make it clear that this Department shares the concerns expressed in the report about the adequacy of foster care and adoptions services in this state currently. Our own reviews and assessments of these programs over the past three years have yielded similar findings. I welcome the opportunity provided via publication of this report to make the Legislature and general public more aware of the seriousness of the problems and to enlist their support of this Department's longstanding efforts to address them.

While the Department generally agrees with the factual findings in the report, we do not agree with nor accept many of the conclusions drawn from these facts regarding the causes of the problems. It is important that this distinction be drawn, for effective corrective measures must be based on the most knowledgeable, informed assessment of the root causes of program deficiencies.

The Department objects to the representations of this report as being a "catalyst" for action to remedy deficiencies in the Foster Care and Child Welfare Services Programs. The Department recognizes the extent of problems in the current child welfare system and has taken concerted, responsible action to bring about positive change. For over three years (since the Department became responsible for Foster Care and Adoptions in 1978) the Department has concentrated its resources on the reform and redesign of these programs. A Task Force was assembled in January, 1979 to assess the problems in the social services system, establish priorities and design a system which would eliminate the major deficiencies. The Department acknowledged that the state must assume a stronger role in the administration of social services, that limitations of money and

* The Auditor General has responded to the agency's comments on page 64 to provide additional information.

resources demand a narrower focus on what the system can provide and that there must be accountability at both the state and county level.

To achieve these goals, the Task Force developed a service delivery system proposal comprised of four program components: Emergency Response, Family Maintenance, Family Reunification and Permanent Placement. Proposed regulations to implement these four programs were drafted by the Department with ongoing involvement by county welfare departments, child advocate groups and service providers. Because the draft regulations made major changes to the existing service delivery system, it was determined that effective implementation could only occur with extensive revisions to state law.

In June, 1980 the proposed statutory revisions were first amended into Senate Bill 1726 by Senator Presley. However, it was subsequently decided to present the revisions as a separate bill to allow more opportunity for public comment and legislative review. In August, 1980 preprint Senate Bill 14 was introduced by Senator Presley to permit public hearings before the beginning of the 1981 legislative session. As a result of public hearings held in October, 1980, Senate Bill 14 which provides the statutory basis for the Department's proposed redesign of child welfare services was introduced in December.

It is regrettable that the Auditor General's report failed to acknowledge the long and intensive efforts of this Department to address the deficiencies in the foster care and other child welfare services programs. It is also regrettable that in the one year the Auditor General's office took to review these programs it failed to gain more than a superficial understanding of the program features and issues involved and thus failed to provide more substantive conclusions and recommendations.

This lack of depth in understanding the various aspects of the programs is clearly demonstrated by the confusion in the report regarding the nature of Emergency Shelter Care, which is not actually foster care but a special service component of Child Protective Services (CPS). Since the objectives and service approach in CPS differs significantly from that in foster care generally, lumping a discussion of problems in the operation of Emergency Shelter Care into a report which ostensibly deals with foster care can only lead to misunderstanding and confusion to persons reading the report.

Of particular concern is the implication in the report that the entire shelter care program is a failure which endangers all children in shelter care and that the failure is largely the result of a lack of Departmental monitoring of county operations. Neither of these assertions is correct nor do they appear to be logical or documented conclusions based on the contents of the report. While intensive program review efforts by Department staff over the past few years resulted in similar findings regarding the nature and extent of problems disclosed in the report, our conclusions regarding implications of those findings differ greatly in several areas.

This report does not sufficiently clarify the nature of existing problems. For example, while indicating that 82% of children in shelter care are removed from such care within allowable time limits, the report contains only vague assertions

as to why the remaining 18% exceed time limits. This lack of specific data makes it impossible to plan any effective corrective measures and implies erroneously that all such placements are unnecessary and damaging to children. The assessment of knowledgeable Department staff of this situation is that the 18% of those children placed in Emergency Shelter Care who remain over 30 days are primarily the victims of court delays and continuances or exhibit behavioral problems making it very difficult to find suitable alternative placements. Under the circumstances, retention in Emergency Shelter Care at least provides an alternative to return of the child to a potentially unsafe home environment for such cases.

More importantly, the report leaves the reader with the impression that most children removed from their homes are placed into Emergency Shelter Care where they are subjected to harmful influences. Our understanding of this situation based on field experience is that a substantial number of children removed from their homes are placed into more family-like settings and thus are not placed at risk to such influences.

A conclusion of the report with which the Department is in full agreement is that inadequate caseworker staffing at the county level has contributed to the case management deficiencies cited. There are simply not enough workers to deal effectively with the number of children and families served by Child Welfare Services. I am hopeful that substantiation of this need by the report required by the Auditor General will prompt the legislature to seriously consider larger social service staffing appropriations than it has authorized in the past.

More specific responses and comments regarding the major sections of the report are provided in the attached document.

Sincerely,



MARION J. WOODS
Director

DSS Response to
Auditor General Report
Specific Findings

Foster Care (Chapter I)

The Department agrees with the findings of the report that California's foster care system does not meet the needs of all foster children. In response to the report the Department will clarify and expand the causes of the deficiencies identified.

1. Emergency Shelter Care

Emergency shelter care provides a short-term protective environment for a child who must be immediately removed from his own home or who cannot be immediately returned to his own home. These services respond to a family crisis where the child may be temporarily endangered but the family unit itself can be maintained. The focus is to alleviate immediate danger to the child while the services agency provides assistance to the family in remedying the crisis situation.

The report indicates that in the six counties reviewed, 18% of the children in emergency shelter care stayed over 30 days. Three general causes for extended stays are described, namely, 1) lack of appropriate placement resources, 2) court delays, and 3) state failure to monitor the shelter care program. The most significant cause for extended stays appears to be delays inherent in the judicial process which result from efforts to ensure that the rights of parents and children are protected. The limited number of appropriate placement resources which exists in some counties is further complicated by the difficulty in finding foster parents willing or able to cope with severe behavior and emotional problems exhibited by some of the children. In recognition of the need to ensure that children do not remain in shelter care longer than to provide adequate protection, the Department is increasing monitoring efforts to assure appropriate use of shelter care. The Department is especially concerned about the extensive use of receiving homes or other institutional settings for shelter care. Increased use of foster family homes for emergency shelter care rather than receiving homes or other institutional settings will lessen the negative impact of shelter care placements.

The Department shares the concern identified in the report about the mixing of children with various behaviors in emergency shelter care. The extent of such mixing is unclear. The Department believes that this mixing usually occurs as a result of the emergency nature of such placements which occasionally precludes thorough assessment and evaluation of the child's behavior. Ideally, facilities would accept pre-designated types of children, however, it is costly and unreasonable to expect agencies to retain sufficient empty placement beds until an emergency occurs for the particular type of child "eligible" for placement. Children with different needs enter emergency shelter care at the same point in time for diverse reasons.

The Department agrees that a significant cause for mixing is a revision in state law which permits children once declared wards of the court to enter the foster care system. The revision in the law reflects the belief that incorrigible children may be more appropriately served through the social service system rather than the juvenile justice system. However, this change in perspective has created problems which have not been fully resolved. There is an additional cause for lengthy stays in emergency shelter which is not explicitly identified in the report. Even though, in many instances, there are available foster care vacancies, because of the severe behavior problems exhibited by some of these children, it is difficult to find foster parents willing to accept such children or capable of providing the appropriate level of supervision necessary.

The report discusses the negative impact of shelter care on children. The Department agrees that such placements and the circumstances surrounding the need for such placements have a negative impact on many children. The Department's policy is 1) to limit shelter care placement of children to situations in which there is no other way to protect the child, 2) to improve the quality of care provided in shelter care and 3) to ensure that such placements are limited to 30 days or less. The Department will be increasing its efforts to ensure compliance with this policy through increased monitoring and development of corrective action plans where necessary.

The report correctly points out that shelter care placements which exceed 30 days are a financial burden on the counties. The 30 day limitation is a significant fiscal disincentive for the county. However, as a consequence of the judicial process some children will continue to remain in shelter care beyond 30 days because neither the Department nor the county welfare department have the power to control individual judicial proceedings.

2. Supervision

The Department agrees with findings related to deficiencies in the number of visits to foster children and their parents. These findings substantiate the Department's reviews of county operations. The Department is acutely concerned about this problem and places high priority on corrective actions to remedy it. As noted in the report, a major cause for failure to conduct visits appears to be large social worker caseloads. Assuring that caseload sizes do not exceed a level which allows adequate visitation of children and parents has potentially significant funding implications.

The Department agrees that inadequacy of past monitoring activities by the Department have been a factor in county operational deficiencies. The Department identified this problem as part of its overall social services program review in 1979 and has since intensified and improved its monitoring efforts. In the first quarter of 1980 the Department conducted a statewide review of Child Protective Services. This process includes development of individual corrective action plans for each county as necessary. In the Spring of 1980, the Department conducted a second Out-of-Home Care review which compared county

compliance to results of the earlier review.

3. Recommendations and Alternative Proposals

a. The report recommends that the Department assess the availability of placement resources, and, if necessary, develop additional resources.

The Department agrees that more placement resources are necessary to reduce lengthy shelter care and will pursue the development of additional resources. While placement resources would reduce pressures on the foster care system, the highest priority should be given to reducing the number of children who enter the system. The provision of more effective preplacement preventive services would reduce the number of children in shelter care for any length of time. Preplacement services to prevent removal from the home are basic concepts contained in proposed departmental regulations and in Department-sponsored Senate Bill 14.

b. The report recommends that the Department should plan alternate methods for providing emergency shelter care, with the elimination of receiving homes and institutional care. The plan would include a method of care which avoids mixing different types of children in emergency care.

The Department agrees that institutional emergency care should be limited as much as possible and that mixing of children can be detrimental. Proposed departmental regulations and Senate Bill 14 provide specific criteria prohibiting the mixing of abused and neglected children with delinquent children in emergency shelter care. Furthermore, unless there is a commonality of treatment needs, the proposed regulations and statute prohibit the mixing of such children in foster care as well.

The Department will pursue information on how other agencies, such as the Washington state program mentioned in the report, provide appropriate emergency care for children with differing emotional and psychological problems. Where the experience of other states appears fruitful, we will attempt to incorporate their approaches into our legislative and regulatory initiatives. In addition to supporting needed legislative changes the department will also continue its efforts under current monitoring and policy implementation processes to limit the inappropriate mixing of children.

c. The report recommends that the Department specify to the Legislature county staffing requirements, including an analysis of the number of staff required to properly supervise foster children and their parents.

The Department agrees with this recommendation. The Department will take the necessary steps to assess staffing augmentation needed to meet the objectives of the foster care program and will include projected fiscal impact as the need for additional staff is quantified.

- d. The report recommends that the Department ensure that county Welfare departments conduct required visits to foster children and their parents.

The Department agrees that such visits are crucial in protecting the child and monitoring parental improvements. The Department's monitoring efforts indicate that the three major causes of non-compliance are large caseload size, inadequate supervision at the local level and, to a limited extent, inadequate documentation of current activity.

Specific corrective action plans are being developed for those counties where noncompliance with the visit requirements was found by state staff. Furthermore, all noncompliance items found through the Department's survey were prioritized in terms of extent and severity and appropriate corrective actions with timeframes for correction are being established.

- e. The report recommends the Department monitor county welfare departments in order to enforce emergency shelter care time limits.

The Department agrees that there is a need to enforce the time limits and will increase its monitoring and compliance enforcement efforts in this area. In recognition of the role of the judicial process in causing lengthy shelter care placements, the Department's proposal contained in SB 14 which provides guidelines on continuances and prohibits continuances that do not consider the child's best interest is essential in reducing extended shelter care stays. Under SB 14 the court must consider the need for prompt resolution of the child's custody status, the need to provide children with a stable environment and the damage to the child from prolonged temporary placements.

Adoption Program (Chapter II)

Chapter II of the report is critical of local and state operation of the Adoption Program. The Department's response and concerns with the key items related to the adoption program covered by the report are discussed below.

Recruitment

A Department-sponsored recruitment campaign is being implemented in conjunction with a Sacramento television station. The campaign will feature special needs children from adoption agencies in Northern California. If successful, it will be expanded statewide. We agree

that an on-going statewide recruitment campaign is needed. In order to finance such a campaign the Department is proposing legislation to increase fees for services provided to adoptive parents in the relinquishment and intercountry adoption programs and to establish fees for services provided to adoptive parents in independent adoptions. A portion of these fees will be earmarked for recruitment of special needs children.

Computerized Referral System

The Department shares the concern expressed in the report regarding the computer component of the ARRC Program and has drawn upon additional resources available through the Management Analysis Bureau to study the Program, with special emphasis on the computer component.

Preliminary work on the Management Analysis study began in July of 1981, and a final report is scheduled for completion by November 6, 1981. The study will include but is not limited to a review of all the ARRC processes, input from adoption agencies through questionnaires and interviews, and interviews with staff in the Department units involved with ARRC. The Department's plan is to implement the recommendations of the Management Analysis study to the extent possible.

We regret that the computer program developed by the Auditor General's office was used only on children and families not registered with the ARRC computer. We would be interested in comparing the benefits of the Auditor General's program with our current program in considering a revision of our computerized component of ARRC and therefore would appreciate receiving a copy of that program. We would be interested to see if our program would result in "matches" similar to those in the Auditor General's. This would help us determine to what extent problems lie with the ARRC computer program and how much is caused by worker inexperience with the registration process itself.

It is true that with the current computer program families can only designate five physical and five emotional problems as unacceptable to them as a child. However, this limitation does not preclude the family's being "matched" with a healthy child if such a child is registered on the computer.

Registration of Families and Children

As mentioned in the report, families are more likely not to be registered with ARRC than the children. In addition to increased monitoring to remedy this situation, the Adoptions Branch believes the planned addition of the Family Album (a photo listing of available families) as part of the ARRC Program will greatly increase family registrations. Since families are eager for placement of a child with them, they will ask to be in the album to increase their exposure to agencies and thus increase their possibilities for quick selection for a child. Registration for the album will include registration with the computer. It is anticipated that the Family Album will be implemented in the late fall when the newly added component to ARRC, the Minority Exchange Network, is functioning smoothly.

Additional Information (Chapter III)

Some of the additional information items contained in Chapter III were of special interest. The report findings of an 11% out-of-county placement rate, information on types of facilities in which children are placed (Table 12), and program goals for children in care (Table 14) were compared with data obtained through the Department's Foster Care Characteristics Survey. This comparison indicates a significant reduction in out-of-county placement (21% in 1979-80 to 11% currently), decreases in percentage of placements of the total caseload in foster homes and institutions (65% vs 58% and 21.8% vs 16%, respectively) with concomitant increases in placements with guardians and relatives, and significant reorientation of case goals toward permanency planning (Family Reunification from 21% to 28%, Adoption from 11% to 15%, and Guardianship from 9% to 15%) and away from long term foster care (59% to 42% of current caseload). These favorable trends occurred concurrently with the Department's increase county monitoring and program improvement efforts. We were unable to compare all of the report data because of a lack of similarly structured data items on our previous characteristics survey or overlapping categories in some of the report tables (10, 11) which limit their usefulness in defining current problems or making comparisons with previously available data.

AUDITOR GENERAL'S COMMENTS CONCERNING
THE DEPARTMENT OF SOCIAL SERVICES' RESPONSE

We normally do not comment on agency responses to our reports. In this instance, however, we believe we must comment to provide perspective and clarity on the following three issues:

- Emergency shelter care program;
- Computerized adoption referral system; and
- Departmental actions to address program deficiencies.

Emergency Shelter Care Program

The department is concerned that the report implies that the entire shelter care program is a failure which endangers all children in shelter care. Our report does not make such implications. Instead, it states that under certain conditions placements in the emergency shelter care program may be detrimental. (See pages 8, 9, 10, 11, 12, and 14 of our report.) Further, in its analysis of specific report findings, the department agrees with our report by stating that "such placements have a negative impact on many children." [Emphasis added.]

Neither does our report imply that emergency shelter care problems are largely the result of the lack of departmental monitoring of county operations. In fact, our report specifies that children are detained for extended time periods in emergency shelters primarily because there are not enough foster and group homes available. Also cited as reasons for lengthy stays are court delays and lack of departmental monitoring. (See pages 8, 13, and 14 of our report.)

The department is also concerned about the definitions of foster care and emergency shelter care presented in the report. Foster care, as defined in our report, is provided to children who need the protection and care of persons other than their parents on a 24-hour basis. Likewise, emergency shelter care is defined in our report as temporary 24-hour care for children who have no other available shelter or who are in danger of neglect, abuse, or exploitation. (See pages 4, 5, and 9 of our report.)

And lastly, the department contends that the objectives of the emergency shelter care and the foster care programs are significantly different. The department is incorrect. The objectives of both programs are identical as stated in the Manual of Policies and Procedures: Social Service Standards, Sections 30-101.21 and 30-201.21.

Computerized Adoption Referral System

In its analysis, the department finds it regrettable that only unregistered families and children were used in our computer analysis of the adoption resource referral system. Yet with our computer programs, we analyzed all relinquished children and potential parents, including both registered and unregistered children and parents. As we have indicated in several meetings with department officials, our computer programs are available for the department's review. Further, the Auditor General's staff is available to discuss our computerized adoption referral system or any other area addressed in the report.

Departmental Actions to Address Program Deficiencies

The department notes that our report failed to acknowledge its efforts to address the deficiencies in the foster care and adoption programs. However, we discuss the department's planned efforts to correct such deficiencies on pages 14, 26, 38, and 40 of our report.

Finally, the department disagrees with many of the report's conclusions and recommendations. Despite these disagreements, the department concurs with the report's factual contents and details its plans to implement our recommendations.

cc: Members of the Legislature
Office of the Lieutenant Governor
State Controller
Legislative Analyst
Assembly Office of Research
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Assembly Majority/Minority Consultants
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